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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/755,002	01/05/2001	Keith G. Kaan	59.0040	4662
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SCHLUMBERGER OILFIELD SERVICES 200 GILLINGHAM LANE MD 200-9 SUGAR LAND, TX 77478			EXAMINER SHINGLES, KRISTIE D	
			ART UNIT 2141	PAPER NUMBER

DATE MAILED: 11/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/755,002

Applicant(s)

KAAN ET AL

Examiner

Kristie Shingles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 August 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 and 29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-27 and 29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Per Applicant's Request for Continued Examination:

*Claims 1, 12 and 21 have been amended. Claim 28 has been cancelled.
Claims 1-27 and 29 are pending.*

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 8/29/2005 has been entered.

Response to Arguments

2. Applicant's arguments with respect to claims 1, 12 and 21 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-10, 12-19 and 21-26** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Masilamany* (US 6,778,523) in view of *Reichmeyer et al* (US 6,286,038).

a. Per claim 1, *Masilamany* teaches a system for managing communication on a network having a reconfigurable router device to accommodate variations in parameters for changing from one network interface device to another for the router's network connection, the system comprising:

- a first network for connecting to a data acquisition device (Figure 1, col.2 lines 36-47);
- a router connected to the first network, wherein the router is for connecting to a second network having a number of second network hosts (Figure 1, col.2 lines 36-47);
- a template file comprising an operating system command associated with the router, wherein the operating system command comprises a variable (col.2 lines 18-24 and 62-64, col.5 lines 23-34, col.6 lines 5-19; command template includes commands for configuring the router, including operating system commands related to the router); and
- a manager program to assemble first configuring instructions from the template file for configuring the router, wherein network communication is established among the first network host, the router and the second network hosts responsive to the configuring of the router, and the configuring does not disrupt communication on the first network between the first network host and the data acquisition device (col.2 lines 3-20 and 45-47, col.3 lines 1-3, Table 1, col.3 line 55-col.4 line 18, col.5 lines 14-19, col.7 lines 37-44; client devices of the respective networks along with a service controller assemble first configuring instructions via service request),
- wherein the manager program interprets the variable during assembly of the first configuring instructions (col.3 lines 61-67, col.5 lines 14-53, col.5 line 66-col.6 line 4).

Although *Masilamany* teaches clients, subscribers and network providers of the networks, *Masilamany* fails to explicitly a first network host connected to the first network and a manager program for executing by a processor of the first network host to assemble first configuring instructions. However, *Reichmeyer et al* teach a first host connected to the first

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network, wherein the central configuration server resides on a host and constructs the configuration information (col.4 lines 37-43, col.5 lines 10-15, col.6 lines 2-5 and 35-42, col.8 line 63-col.9 line 14, col.10 line 16-col.11 line 28).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Masilamany* and *Reichmeyer et al* for the purpose of provisioning a manager program on a host device of the network, wherein configuration instructions for configuring the router are assembled there; because it allows for remote configuration, wherein a host on the same network is capable of assembling and managing the communication of the configuration instructions.

b. **Claims 12 and 21** contain limitations that are substantially equivalent to claim 1 and are therefore rejected under the same basis.

c. **Per claim 2**, *Masilamany* and *Reichmeyer et al* teach the system of claim 1, *Reichmeyer et al* further teach wherein the first network host has a predetermined configuration, including parameters defining, a certain identity, and the configuring includes setting, parameters in the router that assign the certain identity to the router, so that the network communication between the first network host and the router is established by the first network host recognizing the router identity (col.2 lines 45-64, col.3 line 2-col.4 line 50 and col.5 line 11-col.6 line 61).

d. **Claim 13** is substantially similar to claim 2 and is therefore rejected under the same basis.

e. **Per claim 22**, *Masilamany* and *Reichmeyer et al* teach the computer program product of claim 21, *Reichmeyer et al* further teach wherein the first network host has a predetermined configuration, including parameters defining, a certain identity, and the

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configuring includes setting, parameters in the router that assign the certain identity to the router, so that the network communication between the first network host and the router is established by the first network host recognizing the router identity (col.2 lines 45-64, col.3 line 2-col.4 line 50 and col.5 line 11-col.6 line 61).

f. **Per claim 3**, *Masilamany* and *Reichmeyer et al* teach the system of claim 2, *Reichmeyer et al* further teach wherein the configuring, includes setting parameters in the router for a network connection between the router and the second network, so that the network communication between the second network hosts and the router is established by the second network hosts recognizing the router identity via the network connection (col.2 line 45-col.3 line 29, col.4 lines 4-50 and col.6 line 43-col.9 line 67; configuration process includes parameter-setting in the router).

g. **Claims 14 and 23** are substantially similar to claim 3 and are therefore rejected under the same basis.

h. **Per claim 4**, *Masilamany* and *Reichmeyer et al* teach the system of claim 1, *Reichmeyer et al* further teach wherein the router comprises a processor, and wherein execution of the configuring instructions by the router processor automatically performs the router configuring (col.3 line 55-col.4 line 43, col.10 lines 26-53 and col.11 lines 15-63; router comprises a process for provisioning automatic configuration).

i. **Per claim 5**, *Masilamany* and *Reichmeyer et al* teach the system of claim 4, *Reichmeyer et al* further teach wherein the system comprises second configuring instructions for executing by the router processor upon booting (col.2 line 50-col.3 line 29 and col.5 line 60-col.6 line 23; configuring instruction executed by router upon booting/powering on).

j. **Claims 15 and 24** are substantially similar to claim 5 and are therefore rejected under the same basis.

k. **Per claim 6**, *Masilamany* and *Reichmeyer et al* teach the teach system of claim 5, *Reichmeyer et al* further teach wherein the router comprises a storage unit and the second configuring instructions include instructions stored in a configuration file on the router storage unit (col.3 line 24-29, col.6 lines 17-23 and col.11 lines 29-55).

l. **Claim 16** is substantially similar to claim 6 and is therefore rejected under the same basis.

m. **Per claim 7**, *Masilamany* and *Reichmeyer et al* teach the system of claim 5, *Reichmeyer et al* further teach wherein the router comprises a reader for reading a portable storage device, and the second configuring instructions include instructions stored on an external storage device readable by the router's reader (col.3 lines 20-54, col.6 lines 17-23, col.10 lines 39-53 and col.11 lines 38-63).

n. **Claim 17** is substantially similar to claim 7 and is therefore rejected under the same basis.

o. **Per claim 8**, *Masilamany* and *Reichmeyer et al* teach the system of claim 4, *Reichmeyer et al* further teach wherein the first configuring instructions include instructions for sending to the router from the first host via the first network for router processor executing (col.5 line 11-col.6 line 23 and col.11 lines 15-63).

p. **Per claim 9**, *Masilamany* and *Reichmeyer et al* teach the system of claim 8, *Reichmeyer et al* further teach wherein the first configuring instructions include parameters for

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performing a network login to initialize the network communication on the first network between the router and the first network host (col.3 lines 7-29 and col.6 line 43-col.7 line 65).

q. **Claims 18 and 25** are substantially similar to claim 9 and are therefore rejected under the same basis.

r. **Per claim 10**, *Masilamany* and *Reichmeyer et al* teach the system of claim 8, *Masilamany* further teaches wherein the configuring instructions include configuring the router to substitute a network address of the router in place of a network address of the first network host for communicating from the first network host to one of the second network hosts (col.5 lines 23-34, col.7 lines 30-44).

s. **Claims 19 and 26** are substantially similar to claim 10 and are therefore rejected under the same basis.

5. **Claim 29** is rejected under 35 U.S.C. 103(a) as being unpatentable over *Masilamany* (US 6,778,523) in view of *Reichmeyer et al* (US 6,286,038) and further in view of *Guy et al* (US 6,298,057).

Per claim 29, *Masilamany* and *Reichmeyer et al* teach the method of 21 as applied above, yet fail to distinctly teach the computer program product of claim 21, wherein the communications module instructions are also for receiving error messages and notice of router events from the router, and the computer program product further comprises: state and status module instructions for capturing the error messages and router events. However, *Guy et al* disclose forward error correction wherein error and status messages of the router are comprised (col.8 line 41-col.9 line 10 and col.13 line 49-col.15 line 20).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Masilamany* and *Reichmeyer et al* with *Guy et al* for the purpose of permitting the communication of error and status messages from the router; because it would provide information regarding the state and functionality of the router which is vital to the operability of the system.

6. **Claims 11, 20 and 27** are rejected under 35 U.S.C. 103(a) as being unpatentable over *Masilamany* (US 6,778,523) in view of *Reichmeyer et al* (US 6,286,038) and further in view of *Isfeld et al* (US 5,802,278).

a. **Per claim 11**, *Masilamany* and *Reichmeyer et al* teach the system of claim 8 as applied above, yet fail to distinctly teach the system of claim 8, wherein the configuring includes configuring the router to not send addresses of nodes in the first network to other routers. However, *Isfeld et al* teach a bridge server having states “BLOCKING” or “DISABLED” which can inhibit or prohibit the transmission of addresses (col.51 lines 33-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of *Masilamany* and *Reichmeyer et al* with *Isfeld et al* for the purpose of permitting particular formatting configurations for the router; because it would provide extendibility for configuring the router in various modes based on the administrator options and/or preferences.

b. **Claims 20 and 27** are substantially similar to claim 11 and are therefore rejected under the same basis.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: *Golla et al* (US 6,587,874), *Kankar et al* (US 6,751,191), *Slaby et al* (US 6,938,089), *Crooks* (US 6,859,452), *Cain et al* (US 6,757,289), *Farrell et al* (US 6,751,663).


8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kristie Shingles whose telephone number is 571-272-3888. The examiner can normally be reached on Monday-Friday 8:30-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia can be reached on 571-272-3880. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Kristie Shingles
Examiner
Art Unit 2141

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